



SUPPLEMENT TO THE FINANCE COMMITTEE REPORT November 8, 2004 Special Town Meeting

This supplement includes recommendations for the articles not covered by the earlier (October 18, 2005) Finance Committee Report.

ARTICLE 2. Town Meeting Coordinating Committee: Procedures, Rules and Regulations (Town Meeting Coordinating Committee)

NO RECOMMENDATION.

ARTICLE 3. Feasibility Committee (Select Board)

To see if the town will establish a Feasibility Committee of 7 citizens of diverse backgrounds, to be appointed by the Select Board, to develop an environmentally-safe plan to locate the Department of Public Works, the town's transfer station or new athletic fields at the Old Sanitary Landfill or other locations in Amherst. Said committee shall coordinate its activities with other existing town committees and departments that may have interests and responsibilities with regard to the proposed sites and report its preliminary findings and recommendations to the 2005 Annual Town Meeting.

NOT RECOMMENDED. The Finance Committee voted 5-0, with 2 members absent, to recommend against approval of this article. The Feasibility Committee would be expected to examine not only relocation of the Public Works building, but also relocation of the Downtown Fire Station, relocation of the transfer station and appropriate re-use of the Old Sanitary Landfill. We think that doing this in the absence of a Town Comprehensive Plan would be an enormous task and in many ways would necessarily parallel the efforts of the existing Comprehensive Plan Committee. Accomplishing the goals of this study in a satisfactory way would require a significant appropriation of funds to provide essential staff time and other support.

ARTICLE 4. Petition - Old Sanitary Landfill Feasibility Committee (Fetterman)

To see if the town will establish an Old Sanitary Landfill Feasibility Committee of 7 citizens of diverse backgrounds, to be appointed by the Select Board, to develop an environmentally-safe plan to locate the Department of Public Works, the town's transfer station and new athletic fields on certain portions of the Old Sanitary Landfill on the south side of Route 9 in East Amherst. Said committee shall coordinate its activities with other existing town committees and departments that may have interests and

responsibilities with regard to the proposed site and report its preliminary findings and recommendations to the 2005 Annual Town Meeting.

RECOMMEND DISMISSAL, as requested by the petitioner.

ARTICLE 5. Proclamation - Amherst Convention on Human Rights And Duties
(Human Rights Commission)

NO RECOMMENDATION.

ARTICLE 6. Amendment to Station Road Lease Agreement
(Conservation Commission)

To see if the Town will authorize the Conservation Commission to amend the Lease Agreement between the Town of Amherst and Mares in Charge, Ltd, dated January 31, 2000, to add to said agreement an additional parcel of land, containing 9,869 square feet, more or less, which is shown as the "Police Barn Parcel Area" on a plan of land dated November 23, 1999, and recorded in the Hampshire County Registry of Deeds in Plan Book 186, Page 126, and to take any other action necessary to carry out such amendment.

RECOMMENDED. The Finance Committee voted 5-0, with two members absent, to recommend approval of this article as a housekeeping change intended to adjust the Lease Agreement to the existing situation at the property. There are no significant financial implications.

ARTICLE 11. Special Services - Amherst Community Television/Cable Advisory Committee
(Select Board; Cable Advisory Committee)

To see if the Town will raise and appropriate \$4,000 for Amherst Community Television or for expenses of the Cable Advisory Committee.

RECOMMENDED. The Finance Committee voted 5-0, with two members absent, to recommend approval of this article. It authorizes use of revenue from Comcast for purposes related to enforcement of the cable License Agreement between the Town and Comcast and for Amherst Community Television (ACTV). This article was postponed from the 2004 Annual Town meeting due to questions and confusion surrounding the procedure for how these funds should be distributed. The Town receives 50 cents per subscriber under the current contract with Comcast. Pursuant to a separate contract between the Town and ACTV to manage our public access station, the Town is to make this money available to ACTV if unused or uncommitted by the Cable Advisory Committee (CAC) by March 1 of each year, supplementing the much larger amount they get directly from Comcast. The article and motion as proposed change the funds distribution procedure to reflect the terms of the contract with ACTV by allowing the CAC access to these funds, if needed, for enforcement of the provisions of the License Agreement prior to distribution of remaining funds to ACTV.

ARTICLE 12. Special Services – Transportation Subsidies

(Select Board)

To see if the Town will endorse the following public transit measures:

A) restore afternoon/evening bus service to the Orchard Valley/West Street, Echo Hill/Gatehouse Road and Cushman/Mill Hollow areas, and restore limited bus service to the Elf Hill/Bay Road area;

B) eliminate fares on all Town-supported routes;

and approve the levying of an assessment by the Commonwealth of Massachusetts for the Town's proportionate share of the cost of such services.

NOT RECOMMENDED. The Finance Committee voted 5-0, with two members absent, to recommend against approval of this article. We understand that a motion will be made to increase the number of bus runs from four to five on weekdays to the Orchard Valley/West Street, Echo Hill/Gatehouse Road and Cushman/Mill Hollow areas. Currently, there are two of these “pretzel runs” in the morning, one at noon and one in the afternoon. If approved, the motion would add a second run later in the day. The cost would be about \$9,000 for the second half of FY 2005. If continued in FY 2006, the cost would be \$18,000 plus any increase for inflation. The cost of the four runs already being operated is \$72,000 in FY 2005. About half of this cost is being covered by money set aside for bus service that turned out not to be needed because the amount of the transportation assessment for the prior year was lower than expected. The other half can be covered in whole or in part if the assessment is again lower than expected. If not, it will have to be paid out of the new state aid or out of existing reserves. Information necessary to make this determination is expected to be available in early November. In any event, the Committee members thought that increasing the Town’s operating expenses beyond what is already budgeted for FY 2005 is not wise. We distinguish this recommendation not to spend from our recommendation to approve Town and Library salary increases under Article 10. In the case of the salaries, we believe the Town will save nothing by putting off possible salary increases to a future year, and there is no increase in services or programs involved. The added spending for transportation services is for service that does not exist now.

As for restoring service to the Elf Hill/Bay Road area, the cost would be about \$20,000 per year. Ridership on buses serving that area has always been very low, in our opinion too low to justify adding the service. The proposal to eliminate fares on all Town-supported routes appears not be something the Town can do on its own. The fares were imposed by PVRTA, not the Town.

If Town Meeting votes to add service, it will not be paid for by accepting an assessment. The Amherst routes are operated according to an agreement between the Town and UMass Transit, with payment going directly from the Town to UMass Transit. The State’s Department of Revenue is allowing the Town to treat this payment as if it were an assessment for bookkeeping purposes, because it is an addition to service that is paid by assessment. In order to keep the Town’s payments for transportation clear and understandable, we expect payments to UMass Transit to be shown as cash transactions in the future.

ARTICLE 16. Stabilization Fund

(Finance Committee)

To see if the Town will appropriate and transfer a sum of money to the Stabilization Fund

RECOMMENDATION DEFERRED. The amount of any potential transfer of money to the Stabilization Fund depends in part on decisions Town Meeting makes with regard to Articles 8, 9, 10 and 12. Each of these articles could require use of part of the \$817,000 in additional state aid. Town Meeting could choose to transfer the uncommitted part of the additional aid to the Stabilization Fund. This would add to the Town's reserves and provide no tax relief. If Town Meeting chooses not to make the transfer, the uncommitted money would be counted as revenue and used to reduce property taxes in FY 2005. The Select Board would accomplish this when it acts on setting the tax rate in early December. If Town Meeting were to follow all of the Finance Committee's recommendations on use of the additional aid, the result would be a \$96 reduction in property tax on a home of average value and no addition to the Town's reserves.

ARTICLE 19. Capital Program – Petition - Town Center Improvements
(Bobrowski)

“To see if the Town will appropriate \$1,200,000 for Town Center roadway, sidewalk and lighting improvements and to meet such appropriation authorize the Treasurer to borrow in accordance with M.G.L. Chapter 44, Section 7(5) and other applicable laws.”

RECOMMENDED: Appropriating and authorizing the Treasurer to borrow \$600,000 under this article. The Finance Committee voted 5-0, with two members absent, to reduce the amount to be borrowed from the \$700,000 recommended in our original report to \$600,000. This change is the result of re-calculation of labor costs to accomplish the work. The reduction would have no effect on the scope of the project. It only reflects a more accurate allocation of staff time between this project and other work of the Public Works Department. This authorization would supplement the \$250,000 bond authorization passed at the 2004 Annual Town Meeting, making a total of \$850,000 available for downtown sidewalk work in this phase. Work is planned along North Pleasant Street (Main to Kellogg Avenue; Amity to St Brigid's; Kellogg Avenue to Pray Street), and Kellogg Avenue and the Bangs Center walkway. With these funds, other sections from a prospective list generated by the DPW can be added to what is already planned. The additional sections could be determined by the Select Board after a public process similar to what occurred in connection with the previously authorized sections. One possibility is Amity Street from South Pleasant to North Prospect, coordinated with the crosswalk project in front of Jones Library proposed in Article 20. The Finance Committee encourages the continued coordination of sidewalk work with other work that has to be done such as repaving. Priority should go to sections that pose difficulty in terms of accessibility; the focus of the entire downtown sidewalk project is on disability access.

ARTICLE 21. Street Acceptance – Poet's Corner
(Oasis Development Enterprises, Inc.)

To see if the Town will accept as a town way Poet's Corner as laid out by the Select Board and shown on a plan of land filed with the Town Clerk and authorize the Select Board to take by eminent domain, purchase or otherwise any fee, appurtenant rights, easements or other interest in land therefor, no appropriation being required.

RECOMMEND DISMISSAL because the streets are not entirely ready for acceptance.

ARTICLE 22. Street Acceptances – Morrow Lane
(Holstein)

To see if the Town will accept as a town way Morrow Lane as laid out by the Select Board and shown on a plan of land filed with the Town Clerk and authorize the Select Board to take by eminent domain, purchase or otherwise any fee, appurtenant rights, easements or other interest in land therefor, no appropriation being required.

RECOMMENDED. Requirements for acceptance have been met. The Finance Committee vote was 5-0, with two members absent.

ARTICLE 23. Street Acceptances – Tanglewood Road, White Pine Road, Summerfield Road
(Amherst Village, Inc.)

To see if the Town will accept as town ways Tanglewood Road, White Pine Road and Summerfield Road as laid out by the Select Board and shown on plans of land filed with the Town Clerk and authorize the Select Board to take by eminent domain, purchase or otherwise any fee, appurtenant rights, easements or other interest in land therefor, no appropriation being required.

RECOMMENDED AS AMENDED by the motion to be made under the article. The amendment will correct the area to be accepted. Requirements for acceptance have been met. The Finance Committee vote was 5-0, with two members absent.

ARTICLE 24. Street Acceptances – Kestrel Lane, Hop Brook Road
(Tofino Associates, Inc.)

To see if the Town will accept as town ways Kestrel Lane and Hop Brook Road as laid out by the Select Board and shown on plans of land filed with the Town Clerk and authorize the Select Board to take by eminent domain, purchase or otherwise any fee, appurtenant rights, easements or other interest in land therefor, no appropriation being required.

RECOMMEND DISMISSAL because the streets are not entirely ready for acceptance.

ARTICLE 25. Temporary Construction Easements - Meadow Street Bridge
(Select Board)

To see if the Town will authorize the Select Board to accept temporary construction easements for the Meadow Street Bridge replacement project, no appropriation being required.

NO RECOMMENDATION. The Committee made no recommendation because there is to be no expense to the Town.

ARTICLE 26. Zoning Bylaws – Upland Acreage Numbering
(Planning Board)

To see if the Town will amend Article 12, Definitions, by changing the section number assigned to “Upland Acreage” from 12.35 (a number erroneously assigned this definition under Article 33, 2004 Annual Town Meeting) to 12.36.

RECOMMENDED. The purpose of this article is to correct a numbering error. The Finance Committee voted 6-0, with one member absent, to recommend approval of the article as a housekeeping measure. It is in the Town's interest, financial and otherwise, to have clear bylaws.

ARTICLE 29. Zoning Bylaws – Open Space Community Development Preliminary Approval
(Planning Board)

NO RECOMMENDATION.

ARTICLE 30. Zoning Bylaws – Professional and Research Park (PRP) Office Uses
(Planning Board)

NO RECOMMENDATION.

ARTICLE 31. Petition – Zoning Map - Northampton Road/South Univ. Drive - PRP to R-N
(Wzientka)

To see if the Town will amend the Official Zoning Map by rezoning Map 13D, Parcels 19 and 57 from Professional Research Park (PRP) to Limited Business (B-L)

RECOMMEND REFERRAL TO THE PLANNING BOARD. The Finance Committee thinks this request to rezone some Professional Research Park property to Limited Business raises several complex questions about land use on the property described in the article and in relation to property abutting it or nearby. We think the Town would benefit from more study by the Planning Board so that the consequences can be better understood. For this reason, the Committee voted 6-0, with one member absent, to recommend referring the article to the Planning Board.

ARTICLE 32. Petition – Zoning Map – University Drive/Snell Street - PRP to R-N
(Citizens for Responsible Planning)

“To see if the town will vote amend the official Zoning Map by rezoning Map 13D Parcels 19, 21, 22, 57, 76, 77, 78, and 80 and Map 16B Parcel 3 from Professional Research Park (PRP) to Neighborhood Residence (R-N).”

RECOMMEND REFERRAL TO THE PLANNING BOARD. The Finance Committee thinks this request to rezone some Professional Research Park property to Neighborhood Residence raises several complex questions about land use on the property described in the article and in relation to property abutting it or nearby. We think the Town would benefit from more study by the Planning Board so that the consequences can be better understood. For this reason, the Committee voted 6-0, with one member absent, to recommend referring the article to the Planning Board.

ARTICLE 33. Restrictive Covenant Acceptance - North Pleasant/McClellan St.
(Planning Board)

To see if the Town will authorize the Select Board to accept a restrictive covenant in relation to the rezoning of the property at 284 North Pleasant Street (Map 11C/Parcel 174).

NO RECOMMENDATION.

ARTICLE 34. Petition – Zoning Map – North Pleasant Street
(Ewert)

To see if the Town will amend the Official Zoning Map to change the zoning for the property at 284 North Pleasant Street (Map 11C/Parcel 174) from General Residence (R-G) to Limited Business (B-L).

NO RECOMMENDATION.

Finance Committee Members:

We invite your questions and views about Town money matters.

Marilyn Blaustein	253-5963
Carlton Brose	256-8425
Alice Carlozzi, Chair	549-1236
Michael Mascis	253-9165
Matthieu Massengill	259-2980
Brian Morton, Vice Chair	549-4161
Kay Moran	549-5767